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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/778,917	02/08/2001	Takashi Ikemori	1466.1026	5837

21171 7590 08/22/2006

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EXAMINER

WEBB, JAMISUE A

ART UNIT	PAPER NUMBER
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3629

DATE MAILED: 08/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/778,917	Applicant(s) IKEMORI ET AL.	
	Examiner Jamisue A. Webb	Art Unit 3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-5,7-9,17 and 18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-5,7-9,17 and 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>20060612, 20060630</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 2-5, 7-9, and 18 are currently pending.
2. Claims 1, 6 and 10-17 cancelled by amendment.

Continued Examination Under 37 CFR 1.114

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/12/06 has been entered.

Information Disclosure Statement

4. The information disclosure statement filed 6/30/06 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered. The application is missing a copy of the Japanese Patent 8-13916 as well as the Japanese Office Action No. 2000-272587 dated April 7, 2006. If the later is submitted it must be submitted with an English translation.
5. The information disclosure statement filed 6/30/06 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently

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understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered. The Applicant has not provided any English translation, or statement of relevance in English, for the Japanese applicants listed in the search report. The search report gives relevant paragraphs, but without an English translation of those paragraphs which are deemed relevant, it is impossible for the examiner to know what the references disclose.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2-9 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsukuda (6,085,170) in view of Handel et al. (6,195,651) and Jones et al. (7,082,400).

8. With respect to Claims 5, 8 and 18: Tsukuda discloses the delivery server with a storage medium (See Figure 1) and a method (with means for) comprising:

a. Registering consignment information for the delivered good and for the agent receiving the goods (See Figure 1, and Column 2, lines 42-47), Tsukuda discloses registering a plurality of consignment relay stations (the examiner considers consignment relay stations to be a form of convenience stores, due to the fact that they are there for the consumers convenience in accepting deliveries, Column 6, lines 37-39, 65-67, column 8,

- lines 1-4) it is the examiner's position that it is inherent that when an agent is used the delivery address is registered, in order to know where the goods are to be delivered;
- b. Transmitting delivered goods information or parcel information from the distribution server to the receiver via e-mail before the goods are delivered (See Figure 5, and column 5, lines 14-32);
 - c. Receiving information about date, time and consignment relay station, or agent location that is designated by the customer (Column 2, lines 42-47, column 8, line 63 to column , line 13, and Figures 5 and 12);
 - d. Means for instructing the delivery of a parcel or goods (Column 7, lines 53-55).
9. Tsukuda discloses registering a home address and a consignment relay station, but fails to disclose the user entering a home address, and a work address, where the user can select either address and the system transmits information with regards to the vicinity of the home address or the work address. Handel discloses a customized web page, where a user can log on, and have multiple profiles. Where localized content is given to the user based on which profile is selected (See Column 31 line 45 to Column 32, line 42). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Tsukuda, to include the capability of the customer to creating two profiles, home and work, when a user registers for the system, in order to provide a customer with information that is targeted to the location of the customer for ultimate ease and convenience. (See Handel, Column 29)
10. The examiner considers the fact that Handel can log on and choose which profile to use to be a means for transmitting information for requiring the receiver to designate the home address of the working address and means for receiving information showing which address the

receiver designated. Handle discloses localized content is extracted based on the user's address and given to the user, the examiner considers this to be a means for extracting from the database, information regarding consignment replay stations located in a vicinity of the designated home address or the designated work address and means for transmitting extracted information.

11. Tsukida and Handel disclose means which are fully capable of displaying a map, however fails to disclose the map including a group of stores in an area selected by the receiver for the receiver to select a designated store. Jones discloses the use of a planning system where a map is displayed to a user, and based on the user preferences a goal seeker will display facilities on a map, so that the user may select one of the facilities (See Figure 6B with corresponding detailed description). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Tsukida and Handel, to include a map of desired facilities, in order for the user to select one of the facilities, as disclosed by Jones, in order to visually search for locations close to the user, for ease of viewing (See Jones, Columns 1 and 7).

12. With respect to Claim 2: Tsukuda discloses a method of delivering parcels, where the size (or dimension) of the parcel is needed (column 9, lines 56-64), and the relay station is chosen (column 6, lines 49-52). Tsukuda discloses the system collecting delivery goods information and also discloses the cost of delivery (column 9 lines 4-8). When shipping parcels or goods, weight is needed to determine the cost or rate of shipping, therefore it is inherent in the Tsukuda reference that the delivery goods information includes weight. If it is not inherent in Tsukuda that the delivery goods information includes weight, then it is well known and obvious to one of ordinary skill in the art at the time the invention was made, that weight is collected when shipping any sort of package or goods, to calculate the rate or cost of shipping and

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delivery. For example when mailing something such as a business size envelope, the post office weighs the envelope to see if the correct postage is attached to it.

13. With respect to Claims 3 and 6: Tsukuda discloses an input/output device that is capable of displaying a map (See Figure 1) and Handel discloses transmitting information in the form of a map in regards to the suers geographical area (See Column 37, lines 5-12).

14. With respect to Claim 4: See Tsukuda, column 9, lines 1-46.

15. With respect to Claim 7: See Tsukuda, column 7, lines 52-55.

16. With respect to Claim 9: See Tsukuda, Column 9, lines 33-46.

Response to Arguments

17. Applicant's arguments with respect to claims 2-5, 7-9 and 17-18 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

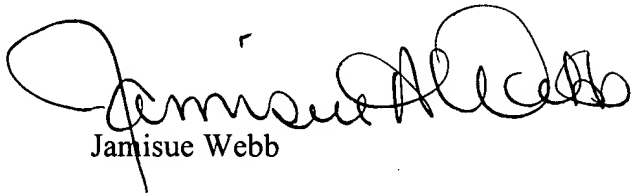
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamisue A. Webb whose telephone number is (571) 272-6811.

The examiner can normally be reached on M-F (7:30 - 4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Jamisue Webb", with a large, stylized initial "J" and "W".

Jamisue Webb

Patent Examiner

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